

Exhibit
A-1

STATE OF SOUTH CAROLINA

COUNTY OF BEAUFORT

**IN THE COURT OF COMMON
PLEAS**

Tony Williams,

)

Plaintiff,

)

vs.

**) C.A. NO.: 2025-CP-07-01325
(Consolidated)**

**Lowe's Home Centers, LLC and
Angie Berry,**

)

Defendants.

)

2025 DEC 17 PM 4:35
CLERK OF COURT
BEAUFORT COUNTY

**PLAINTIFF'S EMERGENCY OBJECTION TO PURPORTED ORDER AND
MOTION FOR JUDICIAL CORRECTION AND CLARIFICATION**

TO THE HONORABLE JUDGE NEWMAN:

Plaintiff, Tony Williams, *pro se*, respectfully files this Emergency Objection to the Purported Order Granting Defendants' Motion to Dismiss (submitted 12/15/2025) and moves this Court for

Exhibit
A-2

STATE OF SOUTH CAROLINA

COUNTY OF BEAUFORT

IN THE COURT OF COMMON
PLEAS

2025 DEC 10 PM 4:06
CLERK OF COURT
BEAUFORT COUNTY, S.C.

Tony Williams,

)

Plaintiff,

)

vs.

) C.A. NO.: 2025-CP-07-01325

Lowe's Home Centers, LLC and
Angie Berry,

)

Defendants.

)

**PLAINTIFF'S DETAILED REPLY IN SUPPORT OF EMERGENCY MOTION
FOR CONTINUANCE AND ADMINISTRATIVE STAY**

Plaintiff, Tony Williams, *pro se*, files this Detailed Reply to the Defendants' recent filing and moves the Court to immediately **GRANT** the pending Motion for Continuance and Administrative Stay.

The defense's Reply must be regarded as an **administrative default** regarding the Motion for Continuance, as the Defendants failed to address or oppose the primary grounds for the requested Stay, instead engaging in abusive, irrelevant attacks on the Plaintiff.

I. DEFENSE FAILURE TO OPPOSE CONTINUANCE AND STAY CONSTITUTES PROCEDURAL DEFAULT

The Plaintiff's Motion for Continuance and Administrative Stay was predicated on four (4) non-discretionary legal grounds. The Defendants' failure to address these points warrants the Stay.

1. **Failure to Respond to Administrative Chaos (Due Process Violation):** The defense failed to deny or justify the extreme administrative burden of scheduling **three separate MTD hearings** for the same day immediately after the Recusal Order. This chaos violates the Plaintiff's fundamental right to be "heard according to law" (Canon 3(E), Rule 501, SCACR). Furthermore, the defense failed to deny the necessity of investigating the **Administrative Removal of the Affidavit of Default**—a core document—from the public index. This administrative tampering with the Court's record creates a strong **appearance of impropriety** that must be resolved prior to any substantive hearing.
2. **Silence on Ethical and Procedural Defects is Conclusive Admission:** The defense deliberately omitted **any discussion or defense** of the **Rule 1.7 Irreconcilable Conflict** and the **Waiver of Rule 12(b)(2) for Angie Berry**. The failure to rebut these two core arguments—one procedural, one ethical—is an **implicit admission** that Defense Counsel cannot logically or ethically justify their position. The Court has the **inherent authority** to intervene *sua sponte* to regulate the conduct of attorneys and ensure the integrity of the bar. *In re Anonymous Member of S.C. Bar*, 339 S.C. 165, 528 S.E.2d 442 (2000).

II. DEFENSE COUNTER-SANCTIONS PROVE THE NEED FOR A STAY (PROCEDURAL MISCONDUCT)

The defense's retaliatory counter-motion for sanctions, specifically the request for an extreme **Gatekeeper Order**, is the strongest evidence that the Stay must be granted to prevent a Due Process violation and investigate the defense's own misconduct.

1. **Procedural Ambush and Misconduct (Rule 11):** The defense's request for sanctions and a severe **Gatekeeper Order** (seeking to strip the Plaintiff of his constitutional right to petition the court *pro se*) is **improperly embedded within the Reply document** rather than filed as a standalone motion. This procedural ambush violates the Plaintiff's right to due process by denying him proper notice and opportunity to be heard on a request for such a drastic remedy.
2. **Breach of Negotiation Confidentiality and Prejudice:** The defense's act of publicly disclosing the Global Settlement Demand and framing the warning of a "separate lawsuit" as a "threat" is a clear violation of the principles governing confidential settlement negotiations. **The defense is improperly turning legitimate, good-faith negotiation into evidence of harassment to prejudice the Court.** This demonstrates

an **improper purpose** that warrants sanctions against defense counsel. See **Runyon v. Wright**, 322 S.C. 15, 471 S.E.2d 160 (1996) (sanctions appropriate for filing made for improper purpose, such as harassment or delay).

3. **Improper Purpose of Gatekeeper Order (Constitutional Violation):** The defense's request for a Gatekeeper Order is a direct threat to the Plaintiff's **First Amendment right to access the courts** and his **Fourteenth Amendment right to due process**. The attempt to impose this Order to shield the Corporation from **vicarious liability** is the very definition of an **improper purpose** under **Rule 11, SCRCP**, and **S.C. Code Ann. § 15-36-10(A)(4)**.
4. **Stay Required to Protect Due Process:** The Court cannot rule on the MTD before addressing the validity of the underlying ethical framework and the alleged administrative corruption (missing Affidavit). Granting the Stay is the only way for the newly assigned Judge to conduct a necessary review and protect the integrity of the record. The South Carolina Supreme Court requires recusal when a judge's impartiality "might reasonably be questioned." *Roche v. Young Bros., Inc.*, 332 S.C. 75, 504 S.E.2d 311 (1998). The defense's procedural abuse and subsequent silence create this appearance of impropriety, compelling the Stay.

III. PRESERVATION OF APPELLATE ISSUES

To create a proper record for appellate review, the Plaintiff requests the Court make explicit rulings on the following critical, preserved issues, pursuant to the requirement that an issue must be raised to and ruled upon by the trial judge:

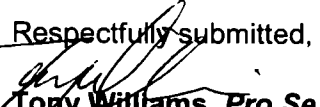
1. **Waiver of Rule 12(b)(2) by Defendant Berry:** Whether the Court finds that Defendant Angie Berry permanently waived the Rule 12(b)(2) defense of lack of jurisdiction over the person, constituting a forfeiture under **Rule 12(h)(1), SCRCP** and *State v. Dudley*.
2. **Ethical Conflict:** Whether the Court finds that defense counsel has a non-waivable conflict of interest due to the joint representation of the Corporation and the separated employee, Angie Berry, warranting immediate action under **SCRPC Rule 1.7**.
3. **Procedural Sanctions:** Whether the Court finds that the Defendants' counsel violated **Rule 11, SCRCP** (Improper Purpose) and committed **Rule 8.4(d)** misconduct by filing a procedurally defective, retaliatory sanctions request, and publicly disclosing settlement negotiations for the purpose of prejudicing the Court.
4. **Administrative Abuse:** Whether the Court finds that the chaotic scheduling and the administrative tampering with the Court record (missing Affidavit) constitutes administrative error and violates the Plaintiff's right to due process.

IV. CONCLUSION

Because the Defendants failed to oppose the substantive grounds for the Continuance and Stay, and because their retaliatory Reply provides further evidence of a calculated attempt to exploit the Court system, the Plaintiff's Motion must be granted.

WHEREFORE, the Plaintiff respectfully requests the Court enter an Order granting an immediate Continuance and Administrative Stay as requested.

Respectfully submitted,


Tony Williams, Pro Se

12/10/25

145 Fort Sullivan Drive

Ridgeland SC 29936

843-263-4488

Dated: December 7, 2025

Exhibit
B

dex.sccourts.org + :D :



Beaufort County Fourteenth Judicial Circuit Public Index



Beaufort County Home Page South Carolina Judicial Department Home Page SC.GOV Home Page

Switch View

Tony Williams VS Lowes Home Improvement Center, defendant, et al					
Case Number:	2025CP0701325	Court Agency:	Beaufort County Common Pleas	Filed Date:	05/28/2025
Case Type:	Common Pleas	Case Sub Type:	Other/Malpract 299	File Type:	Mediator - Jury
Status:	Appeal	Assigned Judge:			
Disposition:	Dismissed by Court - not Rule 40J	Disposition Date:	12/17/2025	Disposition Judge:	Newman, Jocelyn
Original Source Doc:		Original Case #:			
Judgment Number:		Court Roster:			

Case Parties	Judgments	Tax Map Information	Associated Cases	Actions	Financials	
Name	Description	Type	Motion Roster	Begin Date	Completion Date	Documents
Gaston, Michelle W	5/5/2026 MOTION Roster/Notice of Motions Roster Publication	Action		04/08/2026-09:01		
Williams, Tony	5/5/2026 MOTION Roster/Notice of Motions Roster Publication	Action		04/08/2026-09:01		
Williams, Tony	Notice of Appeal to Court of Appeals	Filing		02/05/2026-16:25		
Williams, Tony	Cert Serv (Notice of Appeal Certificate & Statement)2-5-26	Filing		02/05/2026-16:25		
Williams, Tony	NEF(01-06-2026 08:35:37 AM) Order/Electronic Form 4	Filing		01/06/2026-08:35		
Williams, Tony	Order/Elec. F4 - Plain's Motion/Alter Or Amend Judgment	Order		01/06/2026-08:35		
Williams, Tony	NEF(12-30-2025 04:46:37 PM) Reply/Other	Filing		12/30/2025-16:46		
Williams, Tony	Reply to Objection to Rule 59(e) Motion to Vacate	Filing		12/30/2025-16:46		
Lowes Home Improvement Center	NEF(12-24-2025 01:59:14 PM) Response	Filing		12/29/2025-10:41		
Williams, Tony	ADR/Alternative Dispute Resolution (Workflow)	Action		12/24/2025-16:09	12/17/2025-16:09	
Lowes Home Improvement Center	Def's Resp to Plf's Emergency Obj to Purported Order & Mot	Filing		12/24/2025-13:59		
Williams, Tony	Omnibus Emergency Motion to Alter or Amend Judgment (Rule 59)	Motion		12/18/2025-16:43	01/05/2026-16:46	
Williams, Tony	Plf's Emergency Objection to Purported Order &	Motion		12/17/2025-16:39		
Mills, Angie	NEF(12-17-2025 01:43:16 PM) Order/Dismissal	Filing		12/17/2025-13:43	12/17/2025-13:43	
Mills, Angie	Order Granting Mills' Mot to Dismiss and 2nd Mot to Dismiss	Order		12/17/2025-13:43	12/17/2025-13:43	
Lowes Home Improvement Center	NEF(12-17-2025 01:41:40 PM) Order/Dismissal	Filing		12/17/2025-13:41	12/17/2025-13:41	
Lowes Home Improvement Center	Order Granting Lowe's Mot to Dismiss and 2nd Mot to Dismiss	Order		12/17/2025-13:41	12/17/2025-13:41	
Berry, Angie	NEF(12-15-2025 04:44:34 PM) Order/Order Cover Sheet \$25...	Filing		12/16/2025-08:39	12/17/2025-08:39	
Lowes Home Improvement Center	NEF(12-15-2025 04:40:05 PM) Order/Order Cover Sheet \$25...	Filing		12/16/2025-08:38	12/17/2025-08:38	
Mills, Angie	Order Cover Sheet \$25.00	Filing		12/15/2025-16:44	12/17/2025-16:44	
Lowes Home Improvement Center	Order Cover Sheet \$25.00	Filing		12/15/2025-16:40	12/17/2025-16:40	
Williams, Tony	NEF(12-11-2025 04:45:29 PM) Notice/Other	Filing		12/11/2025-16:45	12/17/2025-16:45	
Williams, Tony	Notice of Mandatory Conflict of Interest & Immediate Withdra	Filing		12/11/2025-16:22	12/17/2025-16:45	
Williams, Tony	Emergency Motion for Recusal (Mandatory Ethical Contaminatio	Motion		12/11/2025-16:21	12/17/2025-16:46	
Williams, Tony	Reply in Support of Emergency Motion for Continuance & Admin	Filing		12/10/2025-16:29	12/17/2025-16:29	
Lowes Home Centers Lic	NEF(12-10-2025 09:13:29 AM) Reply/Other	Filing		12/10/2025-10:44	12/17/2025-10:44	
Lowes Home Centers Lic	Reply	Filing		12/10/2025-09:13	12/17/2025-09:13	
Williams, Tony	Motion for Continuance & Administrative Stay	Motion		12/05/2025-16:40	12/17/2025-16:40	
Lowes Home Centers Lic	NEF(12-03-2025 02:20:36 PM) Notice/Notice of Hearing and...	Filing		12/03/2025-15:54	12/17/2025-15:54	
Lowes Home Centers Lic	NEF(12-03-2025 02:17:55 PM) Notice/Notice of Hearing and...	Filing		12/03/2025-15:49	12/17/2025-15:49	
Lowes Home Centers Lic	NEF(12-03-2025 02:15:55 PM) Notice/Notice of Hearing and...	Filing		12/03/2025-15:42	12/17/2025-15:42	
Lowes Home Centers Lic	Notice of Hearing 12-25-25 9:30 am	Filing		12/03/2025-14:20	12/17/2025-14:20	
Lowes Home Centers Lic	Notice of Hearing 12-12-25 at 9:30 am	Filing		12/03/2025-14:17	12/17/2025-14:17	
Lowes Home Centers Lic	Notice of Hearing 12-24-25 at 9:30 am	Filing		12/03/2025-14:15	12/17/2025-14:15	
Williams, Tony	12/12/2025 MOTION Roster/Notice of Motions Roster Publicatio	Action		12/02/2025-16:13	12/17/2025-16:13	
Gaston, Michelle W	12/12/2025 MOTION Roster/Notice of Motions Roster Publicatio	Action		12/02/2025-16:13	12/17/2025-16:13	
Williams, Tony	12/12/2025 MOTION Roster/Notice of Motions Roster Publicatio	Action		12/02/2025-16:13	12/17/2025-16:13	
Gaston, Michelle W	12/12/2025 MOTION Roster/Notice of Motions Roster Publicatio	Action		12/02/2025-16:13	12/17/2025-16:13	
Williams, Tony	12/12/2025 MOTION Roster/Notice of Motions Roster Publicatio	Action		12/02/2025-16:11	12/17/2025-16:11	

No Hearing
12-12-2025

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF BEAUFORT	)	C.A. NO.: 2025-CP-07-01325
	)	
Tony Williams,	)	
	)	ORDER GRANTING
Plaintiff,	)	ANGIE (BERRY) MILLS'
	)	MOTION TO DISMISS AND
vs.	)	SECOND MOTION TO DISMISS
	)	
Lowes Home Improvement Center	)	
and	)	
Angie Mills,	)	
	)	
Defendants.	)	

President Judge: Honorable Jocelyn Newman¹

Plaintiff's Attorney: *Pro Se*

Defendant's Attorney: Michelle Gaston, Esquire

Date of Hearing: December 12, 2025

Court Reporter: Webex

RECEIVED
FEB 10 2026
SC Court of Appeals

This matter comes before the Court on the motion, and second motion, of the Defendant pursuant to Rule 12(b)(5), SCRCF. The movant was represented at the hearing by counsel, Michelle Gaston, Esquire. The Plaintiff did not appear at the hearing. The Court takes notice that the Plaintiff was advised, in writing, of the hearing and was afforded directions with regard to the hearing format. The Court also takes notice that the Plaintiff did not contact the Court for further instruction.²

¹ The Motions were originally scheduled to be heard by The Honorable Judge Mullen. However, because the Plaintiff drafted and threatened to file a formal complaint against Judge Mullen, she "has recused herself from . . . all other pending cases involving this Plaintiff, Tony Williams." Defense counsel represented that, as of the date of this hearing, the Plaintiff has filed four (4) cases against Lowe's in Beaufort County, and has also filed several suits in Jasper County including one (1) suit regarding legal representation as against Lowe's. It was noted that said Jasper County civil action has been dismissed and the Plaintiff has been ordered to pay sanctions due to his "groundless and frivolous motion and argument" in that matter.

² Subsequent to the hearing, Plaintiff emailed his written objections to this Order to the Court. Those arguments received on December 16 and 17 -- have been considered as well.

The Court notes that, in his filings, Plaintiff asserts that defense counsel has a conflict of interest per Rule 1.7 of the RPC, Rule 407, SCACR. The basis for this assertion appears to be the belief that Defendant Berry is no longer an employee of Lowe's. Defense counsel does not concede that any conflict exists regarding the representation of Lowe's and Berry; regardless, Defense counsel has represented on the record that Defendant Berry is a current employee of Lowe's and, therefore, that there is no conflict of interest.

1. Rule 4(c), SCRCP states, in pertinent part, that "[s]ervice of summons may be made by the sheriff, his deputy, or by any other person not less than eighteen (18) years of age, *not an attorney in or a party to the action*. . . ." As was noted by the Court in *Caldwell v. Coppola*, 219 Cal.App.3d 859, 268 Cal.Rptr. 453, 456 (Ct. App. 1990), "The long-standing prohibition on personal service by the opposing party arises from the adversarial interest present in legal actions and the concern for discouraging fraudulent service. 'The common law rule was that an interested party could not serve a summons, the policy behind the rule being that an interested party should not be put in a position whereby he might gain an advantage over his antagonist.'" (citation omitted).

2. According to Rule 4(d)(1), SCRCP, an individual over the age of 14 and competent, is to be served "to him personally", "by leaving copies thereof at his dwelling house or usual place of abode", "or by delivering a copy to an agent authorized by appointment or by law to receive service of process."

3. Evidence of record shows that on May 27, 2025, the Plaintiff, personally, entered Lowe's #1521 and tried to hand papers to a Lowe's employee, indicating that he was serving Defendant (Berry) Mills. The Plaintiff was advised that he needed to exit the store and no papers



Beaufort Common Pleas

Case Caption: Tony Williams VS Lowes Home Improvement Center , defendant, et al
Case Number: 2025CP0701325
Type: Order/Dismissal

So Ordered

Jocelyn Newman

NO
JIC

From: [Tony Williams](#)
To: [Court Of Appeals Filings](#)
Cc: [Michelle Gaston](#); compliance@lowes.com
Subject: Motion Rule 240 SCACR
Date: Wednesday, March 11, 2026 9:42:01 PM

RECEIVED

Mar 11 2026

SC Court of Appeals

*** **EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Tony Williams, Appellant,

v.

Lowe's Home Centers, LLC, Angie Berry (Aka Mills) Respondent.

Appellate Case No.: 2026-000317

(Lower Court Case No. 2025-CP-07-01325)

APPELLANT'S MOTION PURSUANT TO RULE 240, SCACR, TO PROCEED WITHOUT A TRANSCRIPT DUE TO PROCEDURAL IMPOSSIBILITY

Appellant Tony Williams, appearing *Pro Se*, respectfully moves this Court pursuant to **Rule 240, SCACR**, for an Order permitting this appeal to proceed without the requirement of a transcript under Rule 207, SCACR. This motion is filed in direct response to the Court's correspondence dated March 11, 2026.

1. IMPOSSIBILITY OF PERFORMANCE

Appellant cannot comply with the requirement to "order a transcript" or "make written arrangements with a court reporter" because no stenographic or audio record of the proceedings exists.

2. THE "GHOST ORDER" BASIS

The orders being appealed (dated December 17, 2025, and January 6, 2026) were issued by the lower court as administrative actions without a hearing. Although a WebEx hearing was scheduled for December 12, 2025, the session was never convened, no arguments were heard, and no court reporter was present. The Court cannot mandate the production of a record that does not exist.

3. GOOD CAUSE FOR EXTENSION OF TIME

Appellant previously advised the Court of the non-existence of a transcript on February 23, 2026. To the extent that the deadline for ordering a transcript has expired, Appellant moves for

The South Carolina Court of Appeals

Tony Williams, Appellant,

v.

Lowe's Home Centers, LLC and Angie Mills,
Respondents.

Appellate Case No. 2026-000317

The Honorable Jocelyn Newman
Beaufort County
Trial Court Case No. 2025CP0701325

ORDER

Appellant has failed to order the transcript, as required by Rule 207 of the South Carolina Appellate Court Rules (SCACR) and this Court's order dated April 8, 2026. Accordingly, this appeal is dismissed. Based on this disposition, the Court declines to consider Appellant's pending motions. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY


CLERK

Columbia, South Carolina

cc:

Tony Williams

Michelle W Gaston, Esquire

FILED
Apr 27 2026

RECEIVED

Apr 28 2026

SC Court of Appeals

From: Tony Williams
To: Court Of Appeals Filings
Cc: compliance@lowes.com; Michelle Gaston; Melling, Andrew; ODCmail
Subject: APPELLANT'S EMERGENCY PETITION FOR REHEARING AND MOTION TO VACATE VOID ORDER OF DISMISSAL FOR EXTRINSIC FRAUD AND CLERICAL COLLUSION
Date: Tuesday, April 28, 2026 10:29:32 AM

*** **EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Tony Williams, Appellant,

v.

Lowe's Home Centers, LLC, et al., Respondents.

Appellate Case No: 2026-000317

(Relating to Beaufort County Case No: 2025-CP-07-01325)

**APPELLANT'S EMERGENCY PETITION FOR REHEARING AND
MOTION TO VACATE VOID ORDER OF DISMISSAL FOR
EXTRINSIC FRAUD AND CLERICAL COLLUSION**

I. INTRODUCTION: EXPOSING THE PREDETERMINED AMBUSH

The Appellant, Tony Williams, *pro se*, respectfully moves this Court to **Vacate and Strike** the Order of Dismissal dated April 27, 2026. This Order is the culmination of a "Ghost System" designed to strip a *pro se* litigant of his constitutional rights through coordinated clerical collusion and extrinsic fraud.

Despite the Appellant's meticulous compliance with every financial and procedural requirement of this Court, the Clerk's Office—acting in tandem with conflicted Respondent Counsel Michelle Gaston—has attempted to "groom" the record to bypass the mandatory **Stay of Remittitur** before the May 5, 2026, hearing in Beaufort County. This Order is void *ab initio*, as it was issued while a mandatory **Rule 240 Motion** remained adjudicated and while Appellant's fees were fully paid.

II. EVIDENCE OF FULL COMPLIANCE AND PROCEDURAL DILIGENCE

The Clerk's characterization of "failure to prosecute" is forensically debunked by the Court's own C-Track record, which proves the Appellant is a model of diligence:

- **Financial Finality:** Appellant has **paid all motion fees and filing costs**. The record (04/02/2026) confirms the "Partial Correction (Notice of Appeal Filing Fee)" and subsequent payments for omnibus motions.
- **Response to Deficiencies:** Appellant has timely and exhaustively **responded to all**

From: [Tony Williams](#)
To: [Court Of Appeals Filings](#)
Cc: compliance@lowes.com; Melling, Andrew; Michelle Gaston; QDCmail
Subject: NOTICE OF PROCEDURAL IMPOSSIBILITY AND CLERICAL COLLUSION
Date: Wednesday, April 29, 2026 10:36:12 AM

RECEIVED

Apr 29 2026

SC Court of Appeals

*** **EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Tony Williams, Appellant,

v.

Lowe's Home Centers, LLC, et al., Respondents.

Appellate Case No: 2026-000317

APPELLANT'S SUPPLEMENTAL NOTICE OF PROCEDURAL IMPOSSIBILITY AND CLERICAL COLLUSION

I. INTRODUCTION: THE ANATOMY OF A GHOST DISMISSAL

The Appellant, Tony Williams, *pro se*, submits this Supplemental Notice to alert the Judicial Panel to a profound jurisdictional absurdity. The Order of Dismissal dated April 27, 2026, purports to punish the Appellant for failing to provide a transcript. However, the Appellant has repeatedly informed this Court that **no such transcript exists, no court reporter was present, and no hearing ever took place.** The underlying order being appealed is a "Ghost Order"—a document lacking the mandatory **Judicial Identification Code (JIC)** and issued outside the presence of the parties. It is a legal and physical impossibility to produce a transcript of a non-existent event. To dismiss an appeal for failing to produce the "impossible" is the height of extrinsic fraud and clerical collusion designed to "groom" the record for a defaulted corporate entity.

II. THE LEGAL IMPOSSIBILITY OF THE "TRANSCRIPT DEFICIENCY"

The Clerk's Office has ignored the Appellant's **Rule 240 Motion** (filed March 11, 2026) which specifically addressed this impossibility.

- **The Structural Error:** A court cannot require a transcript of a "Ghost Proceeding." Under **Rule 240, SCACR**, the Appellant moved to proceed without a transcript because the record in the lower court is forensically void.
- **The Ministerial Breach:** By accepting the fees for this motion and then ignoring it to issue a dismissal, the Clerk has engaged in **Extrinsic Fraud**.
- **Case Law:** *"A judgment is void if the court that rendered it lacked jurisdiction... or if the court acted in a manner inconsistent with due process of law."* **Ex Parte: United States Automobile Ass'n**, 307 S.C. 328 (1992). An order dismissing an appeal for

RECEIVED

May 06 2026

SC Court of Appeals

From: [Tony Williams](#)
To: [Court Of Appeals Filings](#)
Cc: [Melling, Andrew](#)
Subject: APPELLANT'S REPLY TO RESPONDENTS' OPPOSITION TO PETITION FOR REHEARING
Date: Wednesday, May 6, 2026 1:54:10 PM

*** **EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

THE SOUTH CAROLINA COURT OF APPEALS

TONY WILLIAMS, *Appellant*,

v.

LOWE'S HOME CENTERS, LLC, and ANGIE MILLS, *Respondents*.

Appellate Case No.: 2026-000317

Lower Court Case No.: 2025-CP-07-01325

APPELLANT'S REPLY TO RESPONDENTS' OPPOSITION TO PETITION FOR REHEARING

I. INTRODUCTION

The Respondents' Opposition is a strategic attempt to sustain an "Administrative Nullity." Respondents argue that the Appellant failed to comply with **Rule 207, SCACR**, by not providing a transcript. This argument deliberately ignores the forensic fact that **no court reporter was present** at the underlying circuit court proceeding. Respondents are essentially moving this Court to dismiss an appeal based on the Appellant's failure to produce a document that does not exist in the physical world. This "Transcript Trap" is used to shield a lower court order that lacks a **Judicial Identification Code (JIC)** and was issued in a jurisdictional vacuum.

II. THE "PROCEDURAL IMPOSSIBILITY" AND RULE 209, SCACR

Respondents contend that the duty to order a transcript rests solely on the Appellant. While generally true under **Rule 207**, the rule is not a suicide pact for Due Process when no transcript exists.

- **Forensic Fact:** The hearing in Case #01325 was non-reported. No court reporter was requested by the Court or the Defense, and none was present.
- **The Mandatory Remedy: Rule 209, SCACR**, provides that *"if no report of the proceedings was made... the appellant may prepare a statement of the evidence."* * **The Error:** By issuing deficiency notices for a non-existent transcript rather than allowing the alternative record provided by **Rule 209**, the Court has created a "Procedural Impossibility." To dismiss for failure to perform the impossible is a violation of the **Fourteenth Amendment**.

The South Carolina Court of Appeals

Tony Williams, Appellant,

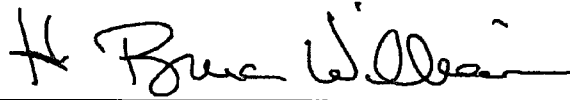
v.

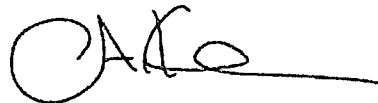
Lowe's Home Centers, LLC and Angie Mills,
Respondents.

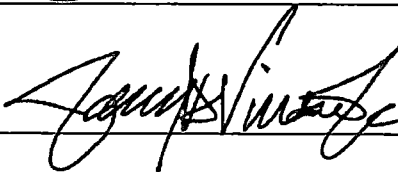
Appellate Case No. 2026-000317

ORDER

After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.

 C.J.

 J.

 J.

Columbia, South Carolina

FILED
Jun 05 2026

cc:

Tony Williams

Michelle W Gaston, Esquire